

Jose Barberan
72 N. State Road, Box 103
Briarcliff Manor, NY 10510
(914) 432-3059

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JOSE BARBERAN,) Case No.: 07-cv-08821 CLB
Plaintiff,)
vs.)
WORLD SAVINGS BANK, FSB, a/k/a)
WORLD SAVINGS BANK, FSB, A FEDERAL)
SAVINGS BANK, ISAOA; et al)
Defendants.)

**PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME OF 30 DAYS TO
RESPOND TO REPORT AND RECOMMENDATION
SIGNED JULY 1, 2008**

CERTIFICATION

Plaintiff hereby affirms that I attempted to confer with opposing counsel regarding this motion; however, was unable to reach them before this motion was mailed.

MOTION

Plaintiff hereby moves an for an enlargement of time of 30 days to respond The Report and Recommendation denying leave to amend my complaint signed on July 1, 2008 by Judge Mark D. Fox. U.S. Magistrate Judge.

MARK D. FOX
United States Magistrate Judge
Southern District of New York

This is Plaintiff's first request for enlargement of time. The response is due on July 21, 2008. Plaintiff request an enlargement of time of 30 days up to and including August 20, 2008.

This extension of time is required because Magistrate Fox has written a 6-page report and recommendation containing several very technical and detailed points of law. I am over the age of 65, and have no formal education in law. I will need several days to research and fully respond to each and every one of his points in order to preserve my rights on appeal, should that become necessary.

CONCLUSION

Plaintiff's Motion should be granted in order to prevent an injustice.

Dated 24 / July /2008

Jose Barberan

Jose Barberan, Plaintiff
72 N. State Road, Box 103
Briarcliff Manor, NY 10510
(914) 432-3059

cc: The Honorable Charles L. Brieant
United States Courthouse
300 Quarropas Street, Room 275
White Plains, New York 10601

Mark D. Fox, U.S. Magistrate Judge
United States Courthouse
300 Quarropas Street, Room 434
White Plains, New York 10601

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date last written below I served a true and correct copy of the foregoing to the following parties by U.S. first class mail:

Michael Belitsis
Donohue, McGahan & Catalano
Attorney for Defendant,
World Savings Bank, FSB
555 North Broadway
Jericho, NY 11753

Richard Adam Rosenzweig
Menicucci, Villa and Associates, PLLC
Attorney for Defendant,
Monarch Mortgage Services, LLC
2040 Victory Boulevard
Staten Island, NY 10314

Andrew Seth Kowlowitz
Furman Kornfeld & Brennan, LLP
Attorney for Defendant,
Adam C. Kandell
545 Fifth Avenue, Suite 401
New York, NY 10017

John P. Foudy
Rosner, Nocera & Ragone, L.L.P.
Attorney for Third Party Plaintiff,
World Savings Bank, FSB
110 Wall Street, 23rd Floor
New York, NY 10005

John A. Nocera
Rosner, Nocera & Ragone, L.L.P.
Attorney for Third Party Plaintiff,
World Savings Bank, FSB
110 Wall Street, 23rd Floor
New York, NY 10005

Dated 21 July 2008 /s/ Joe P. Foudy